



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Fourteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.19064 of 2015

CHINNADURAI

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

NIB CID,

DINDIGUL DISTRICT.

IN CRIME NO. 122 OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MUNIYANDI Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

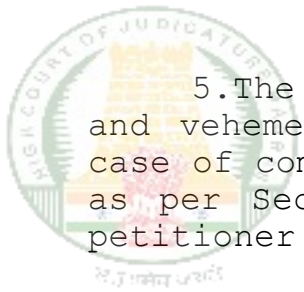
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, in Crime No.122 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 08.09.2015, for the alleged offences punishable under Sections 8(C) r/w 20(b)(ii)(C) of NDPS Act, and hence, seeks bail.

2.According to the prosecution, on secret information the respondent police went to Thethupatti on 08.09.2015 and on the identification, they arrested the accused and recovered 25 kgs of ganja.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that as per the statement of Special Sub-Inspector of Police, NIB CID, Dindigul that he arrested the accused at 08.00 a.m., on 02.07.2015, but, the Inspector of Police in his remand report stated that on 08.09.2015, he was arrested the accused, which shows that non-application of mind of the respondent and falsely implication of this petitioner.

4.It is further submitted that as per the prosecution, the accused was arrested on 08.09.2015 at 08.00 hours and after recording confession, the case was registered at 10.30 hours on 08.09.2015, but the arrest memo contains the crime number, which shows the entire prosecution case is false. It is further contended that in similar circumstances, this Court has granted bail to the accused.



5.The learned Government Advocate (Crl.side) filed a counter and vehemently opposed the bail petition contending that it is a case of commercial quantity and the accused is not entitled for bail as per Section 37 of NDPS Act. It is further submitted that the petitioner has no bad antecedent.

6.However, considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Principal Special Court for EC and NDPS Act cases, Madurai and on further condition that the petitioner shall report before the respondent Police daily at 10.00 a.m., until further orders.

sd/-
14/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE PRINCIPAL SPECIAL COURT
FOR EC AND NDPS ACT CASE , MADURAI.
- 2 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
NIB CID,DINDIGUL DISTRICT.

+1. CC to M/S J.JAYA ARON RAJA, Advocate SR.No.60892

ORDER
IN
CRL OP(MD) No.19064 of 2015
Date :14/10/2015

rg.14.10.2015/NGM.SS/SAR-II 2P/6C.